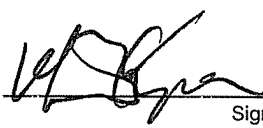
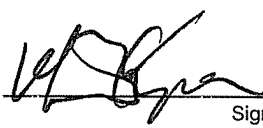
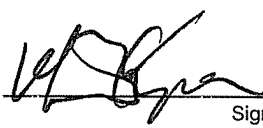


Doc Code: AP.PRE.REQ

PTO/SB/33 (07-05)

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PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional) 4430-30									
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on <u>November 27, 2006</u> Signature <u>Sarah McLaughlin</u> Typed or printed name <u>Sarah McLaughlin</u>	Application Number <u>10/045,590</u>	Filed <u>November 8, 2001</u>									
	First Named Inventor <u>Davies</u>										
	Art Unit <u>2157</u>	Examiner <u>Sall, El Hadji Malik</u>									
<p>Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.</p> <p>This request is being filed with a notice of appeal.</p> <p>The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.</p> <p>I am the</p> <table border="0"><tr><td><input type="checkbox"/> applicant/inventor.</td><td> Signature</td></tr><tr><td><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</td><td><u>Bradley M. Knepper</u> Typed or printed name</td></tr><tr><td><input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>44,189</u></td><td><u>(303) 863-9700</u> Telephone number</td></tr><tr><td><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____</td><td><u>November 27, 2006</u> Date</td></tr></table> <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p> <p><input type="checkbox"/> *Total of _____ forms are submitted.</p>				<input type="checkbox"/> applicant/inventor.	 Signature	<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)	<u>Bradley M. Knepper</u> Typed or printed name	<input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>44,189</u>	<u>(303) 863-9700</u> Telephone number	<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____	<u>November 27, 2006</u> Date
<input type="checkbox"/> applicant/inventor.	 Signature										
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)	<u>Bradley M. Knepper</u> Typed or printed name										
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<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____	<u>November 27, 2006</u> Date										

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:)	Group Art Unit: 2157
)	
DAVIES et al.)	Examiner: Sall, El Hadji Malick
)	
Serial No.: 10/045,590)	Confirmation No.: 8551
)	
Filed: November 8, 2001)	<u>REASONS SUPPORTING PRE-APPEAL</u>
)	<u>BRIEF REQUEST FOR REVIEW</u>
Atty. File No.: 4430-30)	
)	Filed Electronically on November 27, 2006
For: "OBTAINING INFORMATION TO FACILITATE SYSTEM USAGE"		

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Dear Sir:

The following sets forth Applicants' reasons in support of the Pre-Appeal Brief Request for Review submitted herewith.

The Examiner's objections omit essential elements needed to reject the pending claims. In particular, the cited references do not teach, suggest or disclose a system in which a host transmits information identifying the host to a controller as part of a host bus scan. Accordingly, it is submitted that all of the claims are in condition for allowance.

The Examiner rejects all of the pending claims under 35 U.S.C. § 103 as being obvious over US Patent Number 6,260,120 to ("Blumenau") in view of U.S. Patent Number 5, 809, 331 to ("Staats et al"). With respect to the recitation in the pending claims related to the host providing information to connected devices as a result of a bus scan performed by the host, the Examiner cites to Blumenau. However, Blumenau in fact discloses an arrangement in which a host port is queried by a storage system for the host's port worldwide name (Blumenau column

36 lines 41-57). Accordingly, Blumenau does not describe a system in which the worldwide name or other information related to a host is provided to a storage system through a bus scan performed by the host.

With respect to the exchange of information between the host and a controller, the examiner cites to column 2, lines 55-59 of Blumenau. As set forth in the Final Office Action dated August 28, 2006, at page 18, lines 1-4, the Examiner finds that Blumenau discloses receiving a request for storage access from the host at a data port that contains an identification of the host and a specification of a portion of the data storage to access. However, as explicitly stated in the above-referenced portion of Blumenau, the information related to the host is part of a request for storage access. That is, the information related to the host is not provided by the host as part of a host-bus scan. Moreover, Blumenau goes on to explain that, in response to the request, the storage controller decodes the identification of the host from the request and searches memory to find associated information identifying the host. (Blumenau, column 2, lines 59 to column 3, line 17.) Accordingly, information related to its host is already known to the storage controller when request for access is made. In order to obtain information related to the host for the storage controller, Blumenau discusses using a graphical user interface associated with a storage system (Blumenau, column 30, lines 24-26) and entering an installation mode according to which each host controller port is queried by the installation facility of the storage system graphical user interfaces for its port world-wide name (Blumenau, column 36, lines 41-57). Accordingly, Blumenau does not describe a system in which the worldwide name or other information related to a host is provided to a storage system controller through a bus scan performed by the host. Instead, in Blumenau, individual controller ports query the host for such information.

The Staats reference is generally directed to a system for retrieving configuration information from node-configuration memory identified by key field. More particularly, Staats discussed scanning a bus in order to retrieve device-specific identification information (Staats abstract.) However, there is no discussion in Staats of using a host bus scan to distribute information identifying the host. That is, the host bus scan is used to retrieve information for the host regarding devices connected to the host via the bus.

Because the references cited by the Examiner do not teach, suggest or disclose a system or method as claimed, and in particular do not disclose using a host bus scan to provide connected devices with information identifying the host, essential elements required for a rejection of the claims have been omitted by the Office Action. Therefore, the rejections of the claims in view of the cited referenced should be reconsidered and withdrawn, and the claims allowed.

The Examiner is invited to contact the undersigned by telephone if the Examiner has questions or if doing so would expedite the resolution of this matter.

Respectfully Submitted,

SHERIDAN ROSS P.C.

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Date: November 27, 2006